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EXAMINER	
RUHL, DENNIS WILLIAM	
ART UNIT	**PAPER NUMBER**
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NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/028,073	ROGERS ET AL.	
	Examiner	Art Unit	
	Dennis Ruhl	3689	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 May 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5,7-21 and 23-68* is/are pending in the application.

4a) Of the above claim(s) *20,21 and 56-68* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5,7-19,23-55* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Applicant's response of 5/27/08 has been entered.

With respect to the alleged traversal of the restriction requirement, the examiner notes that the applicant specifically stated that they are not traversing the finding that the claims are patentably distinct from each other. Applicant seems to just agree on the reasoning as to why they are in fact patentably distinct from each other. The fact that applicant has stated they are not traversing that the claims are patentably distinct from each other is taken as agreement that a restriction is proper. While the examiner does disagree slightly with applicant's position on this matter, this issue is deemed to be moot based on the fact that the applicant admits that the claims are restrictable from each other (because they are patentably distinct from each other). Based on applicant's election claims1-3,5,7-19,23-55 have been examined and claims 20,21,56-68 are withdrawn from consideration as being directed to a non-elected invention.

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 38 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

For claim 38, there is no antecedent basis for "the callback information status" as none has previously been recited. What does this refer to?

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3,5,23,25-28,45-47, are rejected under 35 U.S.C. 102(b) as being anticipated by Walker et al. (5794207).

For claims 1-3,5,23,28,45-47, Walker discloses a method of processing rental vehicle transactions. Walker discloses a system and method that allows a user to obtain the services of a vehicle reservation (as well as airline tickets, etc.). Walker discloses an automatic vehicle transaction system, see figure 1. See figure 5 and column 16, lines 5-6 where rental vehicles are disclosed. The claimed *mainframe computer* (*central server* for claim 1, *server processor* for claim 10) is computer 200, which is a mainframe computer commensurate with the definition provided in the specification on page 14. The computer 200 is disclosed as communicating over the Internet, col. 11, line 58-end. This necessarily requires that there be *Web browsers* as claimed that allow users to communicate with the server over the Internet. This is also disclosed for example in column 15 line 61 to column 16, line 11. The *plurality of client processors* are the service provider computers 300. They are located at geographically remote locations and have a GUI web based Internet browser as claimed. A *web browser* would be inherent anyway as one is necessarily required to be able to transfer data on the Internet as disclosed by Walker. Because the computers 200 and 300 are connected via the Internet, this satisfies the step of providing for connection on demand.

Applicant in claim 1 recites that the *network* is made up of the central server and the client processors. This adds nothing to what is claimed. The central server and client processors of Walker also can be called a network as claimed. The computer 200 stores a program that executes a process of processing of a rental reservation transaction as claimed. See column 15, line 45 to column 20, line 48. The computer 200 has software that executes the process of taking information from a user (CPO) and then stores this data in a database (see column 17, lines 48-end). With respect to the language about the program being able to open, modify, and close rental contracts, this is satisfied by the fact that Walker discloses that the CPOs are stored in a database and updated as the process goes through various stages. This is done by the program itself as it has this ability. At first, the initial CPO is stored, then it is updated as it is either accepted or rejected, or possibly a counter offer is added to the stored information. Walker even discloses different statuses such as pending, active, expired, and completed. Each of these is added to the store file concerning the reservation as the processing goes on (based on input from the client processors). This satisfies what is claimed.

For claims 25,27, see column 14, lines 30-52, where the claimed limitation is disclosed. Walker discloses the use of more than one mainframe computer.

For claim 26, the client processors are provided with communication as claimed. They communicate via the Internet.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claim 7-9,24,29,30, are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (5794207).

For claim 24, Walker does not disclose that the client processors 300 are authenticated before connecting to the mainframe 200. The client processors are used by businesses that provide services to users and are essentially the airlines, car rental agencies, etc.. One of ordinary skill in the art would recognize the fact that you do not want just anyone to be able to get access to the mainframe computer 200, especially when it comes to transaction requests from users. One of ordinary skill in the art would understand that access to the mainframe must be regulated in some manner. It would

have been obvious to one of ordinary skill in the art at the time the invention was made to authenticate the client processors 300 before allowing them to connect to the mainframe 200, so that you can be assured that the client processors 300 are who they say they are. The owner of the system of Walker is not going to just let anyone connect to the mainframe, especially when it comes to service providers represented by client processors 300. One of ordinary skill would be motivated to authenticate client processors 300 as claimed so that you know exactly who it is that is connecting to the mainframe and can keep those that you do not do business with from connecting to the mainframe. With respect to the authorization including a geographic location comparison (claim 12), it would have been obvious to one of ordinary skill in the art to check on the location where a processor is located, so that any attempts to connect from outside the United States would be detected as a possible hacker. Just like with phones one can determine the location you are calling from, the same can be done with computers.

For claims 7,8,29, see column 14, lines 30-52, where Walker discloses the use of more than one mainframe computer. Each computer has the structure disclosed in figure 2. This satisfies multiple processors. Each computer would be connected by a network and this satisfies a LAN. Not disclosed is that the load is balanced between the processors (btwn mainframes). One of ordinary skill in the art would find it obvious to balance the load on multiple processors so that any one processor is not being worked too hard which results in slow performance. One of ordinary skill in the art recognizes that if you use more than one computer/processor to do a job, or to collectively do a job,

you want the workload for the processor to be balanced to some extent. You do not want two processors sitting idle, while another is so overloaded that it cannot handle any more data requests, etc.. This is something that would have been obvious to one of ordinary skill in the art, especially in an art dealing with the use of multiple computers connected by networks such as in Walker.

For claim 9, not disclosed is that the program of Walker is configured to back up data on the two servers from claims 7,8. The backing up of data is very well known in the art. The examiner takes official notice that it is old and well known in the art to back up data in a computer system, so that if you have a computer error or fatal hardware malfunction, such as a hard drive, you still have a copy of all of the data you need to conduct your business. It would have been obvious to one of ordinary skill in the art to configure the central server 200 so that it can create a backup of data as claimed.

For claim 30, Walker discloses the steps of providing a first computer system that has a software program configured to create a GUI interface. The first computer system is satisfied by central controller 200 and the software it contains that creates and displays to the user an interface (graphical) for data input. A user connecting to first computer system 200 is found in Walker. The user logs onto the system 200 via the Internet. The interface of computer system 200 allows for functional interaction with the user as claimed. See figure 5 of Walker where some of this functional interaction is disclosed. The service provider computers are 300 of Walker, such as a car rental agency computer. Not disclosed is that a link is established between an employee computer and the second computer (unclear which computer this is, 112,2nd). The

second computer has been interpreted to be the service provider computers 300, such as the airlines, rental car agencies, etc.. In Walker, the actual process of taking and processing reservations by the service provider takes place at computers 300. This equates to the known prior art structure of an airline's main headquarters computer, or the main reservation computer for a car rental agency. The computer 200 has software that executes the process of taking information from a user (CPO) and then stores this data in a database (see column 17, lines 48-end). With respect to the language about the program being able to open, modify, and close rental contracts, this is satisfied by the fact that Walker discloses that the CPOs are stored in a database and updated as the process goes through various stages. This is done by the program itself as it has this ability. At first, the initial CPO is stored, then it is updated as it is either accepted or rejected, or possibly a counter offer is added to the stored information. Walker even discloses different statuses such as pending, active, expired, and completed. Each of these is added to the store file concerning the reservation as the processing goes on (based on input from the client processors). This satisfies what is claimed.

What is missing in Walker is the employee computer, but this is seen as corresponding to the computer that a local branch of a rental car agency would have, or the computers at the counter for the airlines at an airport. The examiner takes "official notice" that it is well known in the art that local agencies, such as a car rental agency and airlines, communicate with a central headquarters by computer. In Walker, the second computers 300 would also obviously have their associated local branch computers as part of their overall network. If a car reservation is booked with one of the

providers 300 (second computer), that reservation must be forwarded to the local car rental agency branch, where the actual renting of the vehicle is to take place. This is similar to a travel agent that uses a SABRE system to book flights. There is a central computer (SABRE system) that handles all reservations from the travel agents, and each travel agent communicates with the central computer by establishing a link. It would have been obvious to one of ordinary skill in the art to provide local rental branches with local branch computers (the claimed employee computer) that connect with the second computer 300. The local branches are also where the vehicles for rental can be picked up and reservations can be made. This satisfies what is claimed. The second computer and employee computer are satisfied by a car rental agency headquarters computer (300 in Walker) and the computer that is at each of the local branches of the rental agency, as is very well known in the art. The language about the reservation not being specific to a specific vehicle is noted but is directed to non-functional descriptive material. The language of "to thereby create and manage..." is just directed to the intention of the fact that the system facilitations functional interaction. This is not the same as reciting this actual step. The reservation content is not part of the system and is non-functional descriptive material as far as not being specific to a vehicle. With respect to the language about "to thereby open, modify,...." This is also noted but not really claimed as a step. This is again related to the fact that the program is configured to facilitation functional interaction but it not claiming that this step is actually occurring. The opening, modifying, etc., is just the intention of the functional

interaction configuration limitation and this implies no further steps to the claimed system.

8. Claims 10-19,31,33,34, are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (5794207) in view of Klein et al. (5726885).

For claims 10,11,14,15,31,33,34, Walker discloses a method of processing rental vehicle transactions. Walker discloses a system and method that allows a user to obtain the services of a vehicle reservation (as well as airline tickets, etc.). Walker discloses an automatic vehicle transaction system, see figure 1. See figure 5 and column 16, lines 5-6 where rental vehicles are disclosed. The claimed *server processor* is computer 200, which is a mainframe computer commensurate with the definition provided in the specification on page 14. The computer 200 is disclosed as communicating over the Internet, col. 11, line 58-end. This necessarily requires that there be *Web browsers* as claimed that allow users to communicate with the server over the Internet. This is also disclosed for example in column 15 line 61 to column 16, line 11. The *plurality of client processors* are the service provider computers 300. They are located at geographically remote locations and have a GUI web based Internet browser as claimed. A *web browser* would be inherent anyway as one is necessarily required to be able to transfer data on the Internet as disclosed by Walker. Because the computers 200 and 300 are connected via the Internet, this satisfies the step of providing for connection on demand. Applicant in claim 1 recites that the *network* is made up of the central server and the client processors. This adds nothing to what is claimed. The

central server and client processors of Walker also can be called a network as claimed. The computer 200 stores a program that executes a process of processing of a rental reservation transaction as claimed. See column 15, line 45 to column 20, line 48. The computer 200 has software that executes the process of taking information from a user (CPO) and then stores this data in a database (see column 17, lines 48-end). See column 14, lines 31-52 where a WAN is disclosed. Also, the examiner only considers this to be a recitation to a network as a LAN or WAN are still just networks. Walker satisfies this limitation. The language about the reservation being no specific to a specific vehicle, this is directed to non-functional descriptive material. The requests are not part of the scope of the claim as they are not structure to the system.

In Walker, when one reserves a vehicle this does not necessarily result in a vehicle being assigned.

Klein discloses a car rental system that allows users to reserve vehicles in advance and rent vehicles. Klein discloses that the system is made up of a central computer D and a plurality of remotely located client computers HA, located at rental collection and return points (lots). Users of the system communicate with the central computer D to make reservations and obtain vehicle availability information. Column 5, lines 57-end discloses that one function performed by the computer is to determine whether or not "*the desired vehicle*" is available. This is so that the renter can request a specific vehicle for use. This is also disclosed at the top of column 7. Column 7 states that the user can specify what vehicle they desire. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Walker with the

ability to take information on what specific vehicle the customer is asking for as disclosed by Klein. To provide the computer system of Walker with the ability to assign a specific vehicle to the reservation is rendered obvious because this is done in Klein. One of ordinary skill in the art could have combined the two references together to arrive at what is claimed.

For claims 12, Walker does not disclose that the client processors 300 are authenticated before connecting to the mainframe 200. The client processors are used by businesses that provide services to users and are essentially the airlines, car rental agencies, etc.. One of ordinary skill in the art would recognize the fact that you do not want just anyone to be able to get access to the mainframe computer 200, especially when it comes to transaction requests from users. One of ordinary skill in the art would understand that access to the mainframe must be regulated in some manner. It would have been obvious to one of ordinary skill in the art at the time the invention was made to authenticate the client processors 300 before allowing them to connect to the mainframe 200, so that you can be assured that the client processors 300 are who they say they are. The owner of the system of Walker is not going to just let anyone connect to the mainframe, especially when it comes to service providers represented by client processors 300. One of ordinary skill would be motivated to authenticate client processors 300 as claimed so that you know exactly who it is that is connecting to the mainframe and can keep those that you do not do business with from connecting to the mainframe. With respect to the authorization including a geographic location comparison (claim 12), it would have been obvious to one of ordinary skill in the art to

check on the location where a processor is located, so that any attempts to connect from outside the United States would be detected as a possible hacker. Just like with phones one can determine the location you are calling from, the same can be done with computers.

For claim 13, depending on what rental agency the user wants to do business with (restrictions set by user), there will be customization in the sense that each screen is displaying custom information for that specific user and their business they are trying to conduct.

For claim 32, the recitation that the user is an employee is still just reciting a user. The language about who they are is directed to non-functional descriptive material. The receiving step is still just received from a user computer. The location of the computer defines nothing further and is satisfied by the prior art that has modified Walker with Klein. It may be that an employee is using an office computer to log onto the system of Walker to get a rental vehicle.

For claims 16-19, Walker discloses a system and method that allows a user to obtain the services of a vehicle reservation (as well as airline tickets, etc.). Walker discloses an automatic vehicle transaction system , see figure 1. See figure 5 and column 16, lines 5,6. The claimed *computer system* is the central controller/mainframe 200 (also disclosed as being a web server, see col. 15, ln 45-48). The central controller 200 has software that allows a user to enter information regarding a vehicle rental transaction, and that information is then forwarded electronically (via Internet, col. 11, line 58-end) to a second computer system (which is any one of service providers 300).

For a description of the operation of the invention see column 15, line 45 to column 17, line 26. This section discloses the use of screens on a webpage that is accessed via the Internet, as well as discussing information that is used in processing the transactions. With respect to the claimed GUI that is on the computer system 200 of Walker, this is inherently present in Walker. The computer software of Walker creates screens where the user is prompted to enter information and information is displayed to the user. This is a graphical user interface. The software and associated graphical representations that a user would see when interacting with the computer system 200 satisfies the claimed GUI. See column 15, line 45 to column 17, line 26, especially column 15, line 66 to column 16, line 11. A GUI is necessarily present in Walker (inherently disclosed in Walker), as well as being mentioned in the form of a web browser. This satisfies what is claimed with respect to a GUI. Also, the GUI that is claimed for the second computer system is also necessarily present in Walker. The computer 200 stores a program that executes a process of processing of a rental reservation transaction as claimed. See column 15, line 45 to column 20, line 48. The computer 200 has software that executes the process of taking information from a user (CPO) and then stores this data in a database (see column 17, lines 48-end). With respect to the language about the program being able to open, modify, and close rental contracts, this is satisfied by the fact that Walker discloses that the CPOs are stored in a database and updated as the process goes through various stages. This is done by the program itself as it has this ability. At first, the initial CPO is stored, then it is updated as it is either accepted or rejected, or possibly a counter offer is added to the stored

information. Walker even discloses different statuses such as pending, active, expired, and completed. Each of these is added to the store file concerning the reservation as the processing goes on (based on input from the client processors). This satisfies what is claimed.

Not specifically disclosed is that the second computer system is a mainframe computer and a plurality of client computers located as geographically remote locations. In Walker, when one reserves a vehicle this does not necessarily result in a vehicle being assigned

With respect to the second computer system etc., the examiner notes the broad definition for the term "mainframe" that was set forth in the instant specification on page 14. This definition has been applied to the claims, but is seen as broad because any computer that can reasonably handle the processing needs of large business applications satisfies what is claimed. The second computer system 300 of Walker represents service providers such as airlines, car rental agencies, new car dealers, car insurance providers, credit card providers, see columns 31,32 for some examples. Klein discloses a car rental system that allows users to reserve in advance and rent vehicles. Klein discloses that the system is made up of a central computer D and a plurality of remotely located client computers HA, located at rental collection and return points (lots). Users of the system communicate with the central computer D to make reservations and obtain vehicle availability information. It would have been obvious to one of ordinary skill in the art to have the second computer system 300 of Walker, be in the form of a car rental system as is disclosed by Klein, because one of ordinary skill in

the art would recognize the system of Klein as being a desirable system. Conventional car rental agencies have a central headquarters that handles reservations, and reservations can also be made at local car rental branches, just as is disclosed by Klein. Klein is representative of how car rental agencies are set up (as well as airlines, hotels, etc.). One of ordinary skill in the art would have found it obvious to have the car rental service providers 300 of Walker, be in the form of a car rental system as is disclosed by Klein. Applicant is simply claiming the system of Klein in place of one of the service providers 300 of Walker, something that would have been obvious to one of ordinary skill in the art. The resulting structure is a second computer system 300 that is in the form of a mainframe computer D, connected to a plurality of client computers HA located at remote rental locations. The information that is sent to the computer system 200 and that is then sent to the second computer system 300 (the system of Klein), allows for authorizing, processing, and billing of the rental vehicle transaction. This satisfies what is claimed.

With respect to the assigning of a specific vehicle, column 5, lines 57-end discloses that one function performed by the computer of Klein is to determine whether or not "*the desired vehicle*" is available. This is so that the renter can request a specific vehicle for use. This is also disclosed at the top of column 7 in Klein. Column 7 states that the user can specify what vehicle they desire. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Walker with the ability to take information on what specific vehicle the customer is asking for as disclosed by Klein. To provide the computer system of Walker with the ability to assign

a specific vehicle to the reservation is rendered obvious because this is done in Klein and is known in the art. One of ordinary skill in the art could have combined the two references together to arrive at what is claimed.

9. Claims 35-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (5794207) in view of Klein et al. (5726885) and further in view of Rose et al. (20080010105, goes back to 4/29/99).

For claims 35-37, not disclosed is that a callback flag is generated. The examiner feels that the claimed callback flag is directed to non-functional descriptive material. The flag is never used at all in any further step so this is just claiming the generation of a flag in a generic sense. This is not functionally related to the method at all. At any rate, the examiner has interpreted the callback flag to be satisfied by the generation of a reminder for a reservation that is to be sent to the user. Rose discloses a rental system that has the ability to generate a reminder for a reservation for a customer see paragraph 49. The reminder is to remind the user of an upcoming reservation and would inherently use the date of the reservation when determining what reminders to generate (business rules based on data in the reservation). The callback information (reminder) is displayed to the user in Rose. It would have been obvious to one of ordinary skill in the art to provide Walker with the ability to generate call back flags in the form of reservation reminders that are sent to the customer to remind them of an upcoming reservation.

For claim 38, not disclosed is that an update is received from the user as to the callback information (the reminder) and that there is updating based on the received information. Because the callback flag is a reservation reminder, in the event that the customer has to cancel or amend the reservation in some manner (even if penalized by Walker due to a binding agreement), it would have been obvious to update the reservation information to reflect the new information received from the client. This received information could also be a new credit card number for the account or even an address change. This would have been obvious to one of ordinary skill in the art.

For claims 39-41, the claimed limitations are directed to non-functional descriptive material. What you call the callback flags or what they represent is non-functional descriptive material. The reservation reminder satisfies what is claimed.

For claim 42, in Walker the customer is able to review the reservation that they have made for the day. This is found in Walker. This is satisfied by receiving an acceptance from the user to a counteroffer and displaying the accepted reservation to the user.

For claim 43, not disclosed is that the system has the ability to allocate charges to more than one person. The examiner notes that this is not reciting that more than one person is actually charged or billed. Charges are just "allocated" which does not even mean that the charges are sent out or even billed. It would have been obvious to one of ordinary skill in the art at the time the invention was made to be able to allocate charges between more than one person in the event that the customer has part of their rental paid by their company for official business and part of the rental is for personal

use not paid by the business. This involves no more than ordinary skill in the art and is just allowing more than one person to pay for the rental and allowing for accounting of business versus a personal expense.

For claim 44, not specifically disclosed is that the class of vehicle is part of the reservation. It is very well known to one of ordinary skill in the art that vehicles can be reserved by vehicle class. This is commonplace in the rental vehicle industry. This is within the knowledge of one of ordinary skill in the art and additionally the examiner takes official notice of this fact. It would have been obvious to one of ordinary skill in the art to accept a reservation for a vehicle class as is well known in the art.

10. Claims 48-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Rose et al. (20080010105, goes back to 4/29/99).

For claims 48-50, not disclosed is that a callback flag is generated and displayed to the user. The examiner feels that the claimed callback flag is directed to non-functional descriptive material. The flag is never used at all in any further step so this is just claiming the generation of a flag in a generic sense. This is not functionally related to the method at all. At any rate, the examiner has interpreted the callback flag to be satisfied by the generation of a reminder for a reservation that is to be sent to the user. Rose discloses a rental system that has the ability to generate a reminder for a reservation for a customer see paragraph 49, which is sent via the Internet to the user. The reminder is to remind the user of an upcoming reservation and would inherently use the date of the reservation when determining what reminders to generate (business

rules based on data in the reservation). The callback information (reminder) is displayed to the user in Rose. It would have been obvious to one of ordinary skill in the art to provide Walker with the ability to generate call back flags in the form of reservation reminders that are sent to the customer to remind them of an upcoming reservation.

For claim 51, not disclosed is that the system is configured to receive an update from the user as to the callback information (the reminder) and that there is updating based on the received information. Because the callback flag is a reservation reminder, in the event that the customer has to cancel or amend the reservation in some manner (even if penalized by Walker due to a binding agreement), it would have been obvious to update the reservation information to reflect the new information received from the client. This received information could also be a new credit card number for the account or even an address change. This would have been obvious to one of ordinary skill in the art.

For claim 52, the claimed limitations are directed to non-functional descriptive material. What you call the callback flags or what they represent is non-functional descriptive material. The reservation reminder satisfies what is claimed.

For claim 53, in Walker the customer is able to review the reservation that they have made for the day. This is found in Walker. This is satisfied by receiving an acceptance from the user to a counteroffer and displaying the accepted reservation to the user.

For claim 54, not disclosed is that the system has the ability to allocate charges to more than one person. The examiner notes that this is not reciting that more than one person is actually charged or billed. Charges are just "allocated" which does not even mean that the charges are sent out or even billed. It would have been obvious to one of ordinary skill in the art at the time the invention was made to be able to allocate charges between more than one person in the event that the customer has part of their rental paid by their company for official business and part of the rental is for personal use not paid by the business. This involves no more than ordinary skill in the art and is just allowing more than one person to pay for the rental and allowing for accounting of business versus a personal expense.

For claim 55, not specifically disclosed is that the class of vehicle is part of the reservation. It is very well known to one of ordinary skill in the art that vehicles can be reserved by vehicle class. This is commonplace in the rental vehicle industry. This is within the knowledge of one of ordinary skill in the art and additionally the examiner takes official notice of this fact. It would have been obvious to one of ordinary skill in the art to accept a reservation for a vehicle class as is well known in the art.

11. Applicant's arguments with respect to the amended claims have been considered but are moot in view of the new ground(s) of rejection.

Applicant has mostly based the arguments on new limitations to the claims that has been addressed in the rejection of record.

With respect to claim 16, the argument is not persuasive. The claim is not a method claim where steps are occurring and it has been argued as such. There is no step of opening and modifying claimed and not step of making an advance reservation. What is claimed is just the ability to open, modify, and close a reservation, this is not the same as has been argued.

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Ruhl whose telephone number is 571-272-6808. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janice Mooneyham can be reached on 571-272-6805. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dennis Ruhl/
Primary Examiner, Art Unit 3689